

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

The State of Texas, et al.,

Plaintiffs,

v.

Google LLC,

Defendants.

Case No. 4:20-cv-00957-SDJ

Hon. Sean D. Jordan

Special Master: David T. Moran

**UNOPPOSED MOTION TO FILE UNDER SEAL**

Plaintiff States (“States”) hereby move the Court for leave to file their Opening Brief to the Special Master for the February 22, 2024 Hearing (“States’ Opening Brief”) under seal. Defendant Google LLC (“Google”) does not oppose the States’ sealing request.

The States’ Opening Brief contains references to and discussion of documents produced by Google that have been designated as “Highly Confidential” and “Confidential.” Additionally, certain exhibits to the States’ Opening Brief consist of documents produced by Google that have been designated as “Highly Confidential” and “Confidential.”

Although “the public has a common law right to inspect and copy judicial records,” that right is not absolute. *S.E.C. v. Van Waeyenbergh*, 990 F.2d 845, 848 (5th Cir. 1993) (citations omitted). Courts “must balance the public’s common law right of access against the interests favoring nondisclosure.” *Id.* Good cause to allow sealing exists here, where the States’ Opening Brief necessarily requires reference to and discussion of materials and exhibits that have been designated as “Highly Confidential” and “Confidential” by another party pursuant to Court-ordered protective and confidentiality orders.

For the reasons stated above, the States respectfully request that this Court allow the States to file their Opening Brief to the Special Master for the February 22, 2024 Hearing under seal.

Dated: February 13, 2024.

Respectfully submitted,

/s/ W. Mark Lanier

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**CERTIFICATION OF CONFERENCE**

I certify that counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and that Google LLC does not oppose the foregoing sealing request.

/s/ W. Mark Lanier

W. Mark Lanier

**CERTIFICATE OF SERVICE**

I certify that on February 13, 2024, this document was filed electronically in compliance with Local Rule CV-5(a) and served on all counsel who have consented to electronic service, per Local Rule CV-5(a)(3)(A).

/s/ W. Mark Lanier

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